



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/613,765	07/02/2003	Frederick M. Ausubel	00786/254005

CONFIRMATION NO. 7155

21559  
 CLARK & ELBING LLP  
 101 FEDERAL STREET  
 BOSTON, MA 02110

## FORMALITIES LETTER



\*OC000000011051855\*

Date Mailed: 10/16/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 9-13, 16-19, 21-25, 27, 28, 31, 33, 35, 37 are not in compliance with 37 CFR 1.52(a).
- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:

- The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 4.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- **Additional claim fees of \$2096 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.**

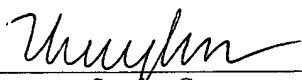
**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$2546** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$2096**
  - **\$612** for **68** total claims over 20 .
  - **\$1344** for **32** independent claims over 3 .
  - **\$140**for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "Thuylin", is written over a horizontal line.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

**Effective OCTOBER 1, 2003.** Patent Fees will be adjusted. Please note that fee amounts required by the enclosed Notice might reflect the fees due on the date of filing. Any fee paid on or after OCTOBER 1, 2003 is subject to the new FY 2004 fee schedule and must be paid in the new amount.

**EXAMPLES OF FEES BEING ADJUSTED**

See [www.uspto.gov](http://www.uspto.gov) for complete FY 2003  
and FY-2004 Fee Schedules

\* Indicates  
fees remain  
at FY 2003  
amount

DESCRIPTION	FY 2003	FY 2004
Basic filing fee - Utility	<b>\$750</b>	<b>\$770</b>
Basic filing fee - Utility (Small Entity)	<b>\$375</b>	<b>\$385</b>
Independent claims in excess of three	<b>\$84</b>	<b>\$86</b>
Independent claims in excess of three (Small Entity)	<b>\$42</b>	<b>\$43</b>
Claims in excess of twenty	<b>\$18</b>	<b>\$18*</b>
Claims in excess of twenty (Small Entity)	<b>\$9</b>	<b>\$9*</b>
Multiple dependent claim	<b>\$280</b>	<b>\$290</b>
Multiple dependent claim (Small Entity)	<b>\$140</b>	<b>\$145</b>
Surcharge - Late filing fee	<b>\$130</b>	<b>\$130</b>
Surcharge - Late filing fee (Small Entity)	<b>\$65</b>	<b>\$65</b>
Design filing fee	<b>\$330</b>	<b>\$340</b>
Design filing fee (Small Entity)	<b>\$165</b>	<b>\$170</b>
Plant filing fee	<b>\$520</b>	<b>\$530</b>
Plant filing fee (Small Entity)	<b>\$260</b>	<b>\$265</b>
Reissue filing fee	<b>\$750</b>	<b>\$770</b>
Reissue filing fee (Small Entity)	<b>\$375</b>	<b>\$385</b>
Reissue independent claims	<b>\$84</b>	<b>\$86</b>
Reissue independent claims (Small Entity)	<b>\$42</b>	<b>\$43</b>
Reissue claims in excess of twenty	<b>\$18</b>	<b>\$18*</b>
Reissue claims in excess of twenty (Small Entity)	<b>\$9</b>	<b>\$9*</b>
Provisional application filing fee	<b>\$160</b>	<b>\$160*</b>
Provisional application filing fee (Small Entity)	<b>\$80</b>	<b>\$80*</b>
Surcharge - Late provisional filing fee	<b>\$50</b>	<b>\$50*</b>
Surcharge - Late provisional filing fee (Small Entity)	<b>\$25</b>	<b>\$25*</b>
Non-English Specification	<b>\$130</b>	<b>\$130*</b>
Extension - First month	<b>\$110</b>	<b>\$110*</b>
Extension - First month (Small Entity)	<b>\$55</b>	<b>\$55*</b>
Extension - Second month	<b>\$410</b>	<b>\$420</b>
Extension - Second month (Small Entity)	<b>\$205</b>	<b>\$210</b>
Extension - Third month	<b>\$930</b>	<b>\$950</b>
Extension - Third month (Small Entity)	<b>\$465</b>	<b>\$475</b>
Extension - Fourth month	<b>\$1,450</b>	<b>\$1,480</b>
Extension - Fourth month (Small Entity)	<b>\$725</b>	<b>\$740</b>
Extension - Fifth month	<b>\$1,970</b>	<b>\$2,010</b>
Extension - Fifth month (Small Entity)	<b>\$985</b>	<b>\$1,005</b>
Petition	<b>\$130</b>	<b>\$130*</b>
Processing returned checks	<b>\$50</b>	<b>\$50*</b>

**For further fee information, please call  
(703-308-HELP)**